



DIRECTORATE OF EDUCATION AND LEISURE

PUPIL EXCLUSIONS



Mrs. Andrea West
Manager, Governor Support & Development Service
and Pupil Exclusion Officer

JULY 2012

*For all for life * I bawb am byth*

This information is based on Welsh Assembly Guidance Circular 1/2004 'Exclusion from Schools and Pupil Referral Units' but also contains details of local arrangements. Headteachers and others using this guidance are to note that it deals with procedural aspects only. More detailed advice and guidance should be viewed in the Circular 1/2004

PUPIL EXCLUSION GUIDANCE FOR HEADTEACHERS

PHASE 1 - PRE EXCLUSION

- ❖ Maintain records of behaviour.
- ❖ Warn parents of potential exclusion.
- ❖ Ensure all possible action has been taken to prevent exclusion (Pastoral Support Plan).
- ❖ Consider alternatives to exclusion.
- ❖ If considering permanent exclusion, please contact the Exclusions Officer (Andrea West – 01443 864870).

PHASE 2 - PROCEDURE FOR EXCLUDING A PUPIL: ROLE OF HEADTEACHER

- ❖ Invite parents/pupil* to the school to advise them of exclusion.
- ❖ Provide the letter of exclusion¹ at the above meeting if possible.
- ❖ Inform the Pupil Exclusion Panel within one school day of all permanent exclusions and all exclusions which result in a pupil missing more than five days, or twenty Lunch-Times in total in any one term.
- ❖ Provide information on **ALL** exclusions to the LEA on exclusion pro forma² and copy of letter to parent/pupil^{*1} immediately (this process is to be completed electronically).

PHASE 3 - SETTING AND MARKING WORK AND PROVISION OF FULL TIME EDUCATION

<u>FIXED TERM</u>	<u>PERMANENT</u>
<p>Continue to provide work for the pupil during exclusion for between 2 and 15 days.</p> <p>For over 15 days and less than 45 days, full-time and appropriate education should be provided.</p>	<p>Continue to provide work for the pupil for the first 15 days.</p> <p>After 15 days full-time and appropriate education should be provided.</p>

Pupil*

- ***If the pupil is of compulsory school age and was aged 11 or above on the day before the beginning of the school year in which he or she was excluded;***
- ***If aged over compulsory school age (normally 16).***

PHASE 4 - PREPARATION FOR HEARING

- ❖ The Clerk to the Governors to arrange meeting of Panel for permanent exclusions or exclusion exceeding 15 days in the term.
- ❖ Headteachers provide the following information:
 - Copy of the pastoral support plan - including young person's strengths and weaknesses
 - Strategies implemented;
 - Any records of Governors Disciplinary Meetings;
 - Written Statements/Reports from staff/case history/chronology of events;
 - Information from previous schools including pupil's strengths and areas for development
 - IEPs (latest);
 - Copies of Psychological Reports (School Action Plus).
- ❖ **Exclusion Panel Meeting:**
 - a. In the case of one or more fixed-period exclusions totalling more than five but not more than 15 school days in any one term, convene a meeting between the 6th and 50th school day after receiving notice of exclusion, to consider the exclusion, if the parent and/or pupils requests a meeting.
 - b. In the case of a permanent exclusion, or one or more fixed-period exclusions (including lunchtimes) totalling more than 15 school days in any one term, convene a meeting between the 6th and the 15th school day after the date of receipt to consider the exclusion.
In the case where a pupil is to miss a public examination, (so far as is practical for them to do so) convene a meeting before the date on which the pupil is due to take the examination and in any event no later than as outlined in paragraphs a and b above.
- ❖ The Clerk to the Governors will make appropriate arrangements for the hearing.
- ❖ The Director of Education & Leisure or his representative to be invited to attend the hearing and will offer advice and guidance to the Panel.

PHASE 5 - THE HEARING

- ❖ Those attending the hearing will be:
 - Governors (3 or 5)
 - Parent(s)/Pupil* (attendance not essential)
(where pupil is unaccompanied, LEA to arrange for an advocate)
 - Friend(s) (may be legal representative/social worker, etc.)
 - Headteacher
 - Clerk (from Governor Support & Development Service where SLA is in place)
 - Director of Education & Leisure (or his representative)
- ❖ The hearing will follow a set procedure.³

Pupil*

- ***If the pupil is of compulsory school age and was aged 11 or above on the day before the beginning of the school year in which he or she was excluded;***
- ***If aged over compulsory school age (normally 16).***

- ❖ At the end of the hearing the Governing Body will make one of two decisions in the case of permanent exclusions:-
 - (a) To uphold the decision of the Headteacher;
 - (b) Direct reinstatement
- ❖ Parent(s) and the Headteacher will be advised of the decision and provided with information on the opportunity to lodge an appeal.
- ❖ In the case of fixed term exclusion there are also two options:-
 - (c) To uphold the decision of the Headteacher;
 - (d) To consider placing a note on the pupil's record.

PHASE 6 - POST HEARING

- ❖ The Clerk to the Governors will write⁴ to the parent(s) and pupil* to advise of the decision of the Governing Body and right of appeal if appropriate. (Within one school day)
- ❖ Parents and pupil* will be given 17 school days to lodge an Appeal. **N.B.** During this period schools will be required to provide work for the pupil up to 15 school days from the date of exclusion. After this period, full time and appropriate education needs to be provided.
- ❖ If parent(s) or pupil* inform the Clerk to the Independent Appeal Panel they do not wish to appeal, the pupil can immediately be removed from the school roll.
- ❖ Otherwise the pupil will automatically be removed from the school roll at the end of the stated appeal period.

PHASE 7 - THE INDEPENDENT APPEAL

- ❖ Parents or pupil* must formally lodge an Appeal with the Clerk to the Independent Appeal Panel, the Chief Legal Officer of the Borough Council.
- ❖ The Chief Legal Officer will make arrangements for the Appeal Hearing.
- ❖ All parties will be contacted by the Clerk to the Independent Appeal Panel and will be advised of date, venue, procedure and requirement for evidence.

For further advice or support contact:-

Andrea West, Exclusions Officer	Tel. 01443 864870 (Exclusion and Governors' responsibilities)
Sue Ead, Solicitor	Tel. 01443 863151 (Independent Appeal Panel)

Pupil*

- ***If the pupil is of compulsory school age and was aged 11 or above on the day before the beginning of the school year in which he or she was excluded;***
- ***If aged over compulsory school age (normally 16).***

DIRECTORATE OF EDUCATION AND LEISURE

FOR THE ATTENTION OF MRS. ANDREA WEST

Penallta House
Tredomen Park
Ystrad Mynach
CF82 7PG.

** Delete as appropriate

****NOTIFICATION OF LUNCH TIME/FIXED TERM/PERMANENT EXCLUSION**

SCHOOL: _____ **UPN NO:** _____

PUPILS NAME: _____ **D.O.B:** _____

GENDER: **MALE:** **FEMALE:**

ETHNIC GROUP:	White	<input type="checkbox"/>
	Mixed	<input type="checkbox"/>
	Asian or Asian British	<input type="checkbox"/>
	Black or Black British	<input type="checkbox"/>
	Chinese or Chinese British	<input type="checkbox"/>
	Any other ethnic background	<input type="checkbox"/>
	Ethnic background not known	<input type="checkbox"/>

ADDRESS: _____

_____ **POST CODE:** _____

EXCLUSION BEGINS ON: _____

LAST DATE OF EXCLUSION: _____

NO. OF SCHOOL DAYS EXCLUDED: _____

REASON FOR EXCLUSION - NB/ Please only tick one main reason

Assault/Violence (Staff)	<input type="checkbox"/>
Assault/Violence (Pupil)	<input type="checkbox"/>
Defiance of Rules/Discipline Policy	<input type="checkbox"/>
Disruptive Behaviour	<input type="checkbox"/>
Bullying	<input type="checkbox"/>
Racial Harassment	<input type="checkbox"/>
Sexual Harassment	<input type="checkbox"/>
Verbal Abuse	<input type="checkbox"/>
Threatening or Dangerous Behaviour	<input type="checkbox"/>
Possession/Use of Weapon	<input type="checkbox"/>
Theft	<input type="checkbox"/>
Damage to Property	<input type="checkbox"/>
Substance Misuse	<input type="checkbox"/>
Other	<input type="checkbox"/>

p.t.o.....

DOES PUPIL HAVE SPECIAL EDUCATIONAL NEEDS?

***PLEASE SPECIFY BELOW:**

School Action or School Action Plus:

Statement:

IS THE PUPIL A LOOKED AFTER CHILD BY THE AUTHORITY?

YES:

NO:

IS THE CHILD FROM OUT OF COUNTY?

YES:

NO:

CAERPHILLY COUNTY BOROUGH COUNCIL

REPRESENTATION AGAINST PERMANENT EXCLUSION

SUGGESTED PROCEDURAL GUIDELINES

1. Purpose: To enable the parent and Headteacher to make representations to the Governing Body concerning the permanent exclusion and to provide the Governing Body with opportunity to consider whether or not to direct reinstatement (under Section 24 of Education Act 1986) (No.2).
2. To agree General Procedural arrangements (as below) - Governors, Headteachers, Parent(s)/ **Pupil** and Clerk.
3. To consider the representations of the Headteacher (or his/her representative).
4. The Parent(s)/**Pupil** (or his/her representative) may ask questions of the Headteacher.
5. The Panel may ask questions of the Headteacher.
- 6 (a) To consider the representations of the Parent(s) (or his/her representative).
- 6 (b) To consider the representations of the **Pupil** (or his/her representative).
7. The Headteacher (or his/her representative) may ask questions of the Parent(s)/**Pupil**.
8. The Panel may ask questions of the Parent(s)/**Pupil**.
9. Headteacher and Parent(s)/**Pupil** and any representatives thereof, to withdraw.
10. Governors to consider representations.
11. Invite Headteacher and Parent(s)/**Pupil** to return to be made aware of the decision of the Governing Body and the grounds thereof.
12. To inform Headteacher and Parent(s)/**Pupil** of Statutory Rights.

Pupil*

- ***If the pupil is of compulsory school age and was aged 11 or above on the day before the beginning of the school year in which he or she was excluded;***
- ***If aged over compulsory school age (normally 16).***

CAERPHILLY COUNTY BOROUGH COUNCIL

REPRESENTATION AGAINST FIXED TERM EXCLUSION

SUGGESTED PROCEDURAL GUIDELINES

1. Purpose: To enable the parent and Headteacher to make representations to the Governing Body concerning the fixed term exclusion and to provide the Governing Body with opportunity to consider whether or not to direct reinstatement.
2. To agree General Procedural arrangements (as below) - Governors, Headteachers, Parent(s)/ **Pupil** and Clerk.
3. To consider the representations of the Headteacher (or his/her representative).
4. The Parent(s)/**Pupil** (or his/her representative) may ask questions of the Headteacher.
5. The Panel may ask questions of the Headteacher.
- 6 (a) To consider the representations of the Parent(s) (or his/her representative).
- 6 (b) To consider the representations of the **Pupil** (or his/her representative).
7. The Headteacher (or his/her representative) may ask questions of the Parent(s)/**Pupil**.
8. The Panel may ask questions of the Parent(s)/**Pupil**.
9. Headteacher and Parent(s)/**Pupil** and any representatives thereof, to withdraw.
10. Governors to consider representations.
11. Invite Headteacher and Parent(s)/**Pupil** to return to be made aware of the decision of the Governing Body and the grounds thereof.

Pupil*

- ***If the pupil is of compulsory school age and was aged 11 or above on the day before the beginning of the school year in which he or she was excluded;***
- ***If aged over compulsory school age (normally 16).***

FIXED PRU

To: The Parent/Guardian of
Pupil

:

Dear (Parent/Pupil's name)

NOTIFICATION OF FIXED-TERM EXCLUSION

I am writing to inform you of my decision to exclude (**pupil's name/you**) for a fixed period of (**period of exclusion**). This means that (**pupil's name/you**) will not be allowed in school for this period.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude (**pupil's name/you**) has not been taken lightly. (**Pupil's name/you**) has/have been excluded for this fixed period because (**reason for exclusion**)

***FOR LESS THAN 6 DAYS**

You (**and pupil's name: where pupil is aged less than 11**) have the right to make representations to Caerphilly Local Education Authority. These representations will be considered by (**set out arrangements which the Local Education Authority have made for considering representations**). If you wish to make representations please contact Mrs. A. West on 01443 864870 at The Directorate of Education and Leisure, Penallta House, Tredomen Park, Ystrad Mynach, Hengoed, CF82 7PG as soon as possible.

***FOR SIX TO 15 DAYS**

You (**and pupil's name: where pupil is aged less than 11**) have the right to make representations to Caerphilly Local Education Authority. These representations will be considered by (**set out arrangements which the Local Education Authority have made for considering representations**). If you wish to make representations please contact Mrs. A. West on 01443 864870 at The Directorate of Education and Leisure, Penallta House, Tredomen Park, Ystrad Mynach, Hengoed, CF82 7PG as soon as possible. (**Note: This wording is not suitable where the pupil would lose the opportunity to take a public examination**)

p.t.o...

***FOR 16 DAYS OR MORE**

As the length of exclusion is more than 15 days Caerphilly Local Education Authority must consider the exclusion. (**set out the arrangements which the Local Education Authority has made to review fixed-period exclusions**) A review meeting will be held and at the review meeting you may make representations if you wish. The latest date for a review meeting is (**date - no later than 15 school days from the date the Local Education Authority is notified**). If you wish to make representations and wish to be accompanied by a representative please contact Mrs. A. West on 01443 864870 at The Directorate of Education and Leisure, Penallta House, Tredomen Park, Ystrad Mynach, Hengoed, CF82 7PG.

**** Delete as appropriate***

You also have the right to see a copy of (**pupil's name/your**) school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of (**pupil's name/your**) school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

***FOR LESS THAN 6 DAYS and FOR SIX TO FIFTEEN DAYS**

The school will continue to set work for (**pupil's name/you**) during the period of his/her/your exclusion (**insert details of arrangements that are in place for this**). Please ensure that any work set by the school is completed and returned to us for marking.

***FOR SIXTEEN DAYS OR MORE**

Alternative education other than setting work will be provided for (**pupil's name/you**) if the exclusion has not been overturned within 15 days. A (Caerphilly) Local Education Authority representative will contact you to discuss this.

**** Delete as appropriate***

You may want to contact Mrs. A. West at Caerphilly Local Education Authority on 01443 864870 at The Directorate of Education and Leisure, Penallta House, Tredomen Park, Ystrad Mynach, Hengoed, CF82 7PG who can provide advice. You may also find it useful to contact the Advisory Centre for Education (ACE), which is an independent national advice centre for parents of children in state maintained schools. They offer information and support on state education in England and Wales, including on exclusion from school. They can be contacted on (020) 7704 9822 or at www.ace-ed.org.uk

(**Pupil's name/your**) exclusion expires on (**date**) and we expect (**pupil's name/you**) to be back in school on (**date**) at (**time**). I am sure it would be helpful for us to meet to discuss (**pupil's name/your**) return to school before (**they/you**) are due back. Please could you contact (**name**) to arrange a convenient time and date.

Yours sincerely

HEADTEACHER

PERMPRU

To: The Parent/Guardian of
Pupil

:

Dear (Parent/Pupil's name)

NOTIFICATION OF PERMANENT EXCLUSION

I regret to inform you of my decision to exclude (**pupil's name/you**) permanently from (**date**). This means that (**pupil's name/you**) will not be allowed back to this school pending a meeting of the School Governors' Pupil Exclusion Panel. Alternative arrangements for (**pupil's name/your**) education will need to be made, in the first instance we will set work for (**pupil's name/you**) and would ask you to ensure this work is completed and returned to school for marking.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude (**pupil's name/you**) has not been taken lightly. (**Pupil's name/you**) has/have been excluded permanently because (**reason for exclusion - also include any other relevant history here**).

You have the right to appeal to an Independent Appeal Panel against this decision. If you wish to appeal please notify (**name of clerk to Appeal Panel**) of your wish to appeal including your grounds of appeal in writing to (**address**) by no later than (**specify the latest date - the 15th school day after the second working day after the letter is posted if sent by first class post, if delivered by hand, the 15th school day after delivery**). If you have not lodged an appeal by this date your right to appeal will lapse.

You also have the right to see a copy of (**pupil's name/your**) school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of (**pupil's name/your**) school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

Alternative education other than setting work will be provided for (**pupil's name/you**) if the exclusion has not been overturned within 15 days. A (Caerphilly) Local Education Authority representative will contact you to discuss this.

p.t.o....

You may want to contact Mrs. A. West at Caerphilly Local Education Authority on 01443 864870 at The Directorate of Education and Leisure, Penallta House, Tredomen Park, Ystrad Mynach, Hengoed, CF82 7PG who can provide advice. You may also find it useful to contact the Advisory Centre for Education (ACE), which is an independent national advice centre for parents of children in state maintained schools. They offer information and support on state education in England and Wales, including on exclusion from school. They can be contacted on (020) 7704 9822 or at www.ace-ed.org.uk

Yours sincerely

HEADTEACHER

FIXED-TERM

To: The Parent/Guardian of
Pupil

:

Dear (Parent/Pupil's name)

NOTIFICATION OF FIXED-TERM EXCLUSION

I am writing to inform you of my decision to exclude (**pupil's name/you**) for a fixed period of (**period of exclusion**). This means that (**pupil's name/you**) will not be allowed in school for this period.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude (**pupil's name/you**) has not been taken lightly. (**Pupil's name/you**) has/have been excluded for this fixed period because (**reason for exclusion**)

***FOR LESS THAN 6 DAYS**

You (**and pupil's name: where pupil is aged 11 or over**) have the right to make representations to the School Governors' Pupil Exclusion Panel. If you wish to make representations please contact (**Clerk to Governors name**) on (**Telephone Number**) at (**Clerk's address**) as soon as possible.

***FOR SIX TO FIFTEEN DAYS**

You (**and pupil's name: where pupil is aged less than 11**) have the right to request a meeting of the School Governors' Pupil Exclusion Panel at which you may make representations and the decision to exclude can be reviewed. As the length of the exclusion is more than five school days (or equivalent) the committee must meet if you request it to do so. The latest date the committee can meet is (**date - no later than 50 school days from the date the committee is notified**). If you wish to make representations to the committee and wish to be accompanied by a friend or representative please contact (**Clerk to Governors name**) on (**Telephone Number**) at (**Clerk's address**) as soon as possible.

p.t.o...

***SIXTEEN DAYS OR MORE**

As the length of the exclusion is more than 15 school days (or equivalent) the School Governors' Pupil Exclusion Panel must automatically meet to consider the exclusion. At the review meeting you may make representations to the committee if you wish to do so. The latest date the committee can meet is (**date - no later than 15 school days from the date the Pupil Exclusion Panel is notified**). If you wish to make representations to the committee and wish to be accompanied by a friend or representative please contact (**Clerk to Governors name**) on (**Telephone Number**) at (**Clerk's address**) as soon as possible.

You will, whether you choose to make representations or not, be notified by the Clerk to the Committee of the time, date and location of the meeting.

**** Delete as appropriate***

You also have the right to see a copy of (**pupil's name/your**) school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of (**pupil's name/your**) school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

***FOR LESS THAN 6 DAYS and FOR SIX TO FIFTEEN DAYS**

The school will continue to set work for (**pupil's name/your**) during the period of his/her/your exclusion (**insert details of arrangements that are in place for this**). Please ensure that any work set by the school is completed and returned to us for marking.

***FOR SIXTEEN DAYS OR MORE**

Alternative education other than setting work will be provided for (**pupil's name/you**) if the exclusion has not been overturned within 15 days. A (Caerphilly) Local Education Authority representative will contact you to discuss this.

**** Delete as appropriate***

You may want to contact Mrs. A. West at Caerphilly Local Education Authority on 01443 864870 at The Directorate of Education and Leisure, Penallta House, Tredomen Park, Ystrad Mynach, Hengoed, CF82 7PG who can provide advice. You may also find it useful to contact the Advisory Centre for Education (ACE), which is an independent national advice centre for parents of children in state maintained schools. They offer information and support on state education in England and Wales, including on exclusion from school. They can be contacted on (020) 7704 9822 or at www.ace-ed.org.uk and SNAP Cymru (Special Needs Advisory Project) on (01443) 220150.

(**Pupil's name/your**) exclusion expires on (**date**) and we expect (**pupil's name/you**) to be back in school on (**date**) at (**time**). I am sure it would be helpful for us to meet to discuss (**pupil's name/your**) return to school before (**they/you**) are due back. Please could you contact (**name**) to arrange a convenient time and date.

Yours sincerely

HEADTEACHER

PERMANENT

To: The Parent/Guardian of
Pupil

:

Dear **(Parent/Pupil's name)**

NOTIFICATION OF PERMANENT EXCLUSION

I regret to inform you of my decision to exclude **(pupil's name/you)** permanently from **(date)**. This means that **(pupil's name/you)** will not be allowed back to this school pending a meeting of the School Governors' Pupil Exclusion Panel. Alternative arrangements for **(pupil's name/your)** education will need to be made, in the first instance we will set work for **(pupil's name/you)** and would ask you to ensure this work is completed and returned to school for marking.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **(pupil's name/you)** has not been taken lightly. **(Pupil's name/you)** has/have been excluded permanently because **(reason for exclusion - also include any other relevant history here)**.

As this is a permanent exclusion the School Governors' Pupil Exclusion Panel will meet to consider this exclusion. At the review meeting you (and pupil's name: where pupil is aged less than 11) may make representations to the committee if you wish to do so. The latest date the committee can meet is **(date - no later than 15 school days from the date the committee is notified)**. If you wish to make representations to the committee and wish to be accompanied by a friend or representative please contact **(Clerk to Governors name)** on **(Telephone Number)** at **(Clerk's address)** as soon as possible. You will, whether you choose to make representations or not, be notified by the clerk to the committee of the time, date and location of the meeting.

You also have the right to see a copy of **(pupil's name/your)** school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of **(pupil's name/your)** school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

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Yours sincerely

HEADTEACHER